AO 440 (Rev 1/90) Summons in a Civil Action

United States District Court

SOUTHERN	NEW YORK		
DISTR	ICT OF		
MASON TENDERS DISTRICT COUNCIL WELFARE FUND, et al.,			
Plaintiffs,	SUMMONS IN A CIVIL ACTION		
V.	CASE NUMBER: 07,CV		
HORIZON GROUP OF NEW ENGLAND, INC. and TRAVELERS CASUALTY AND SURETY OF AMERICA,	COMPANY 17 CIV 3770		
Defendants.	- 415		
TO: (Name and Address of Defendant)	JUDGE SAND		
122 OLD KARNER ROAD 15	RAVELERS CASUALTY AND SURETY COMPANY OF AMERICA 500 MARKET STREET, SUITE 2900 HILADELPHIA, PENNSYLVANIA 19102		
YOU ARE HEREBY SUMMONED and	required to file with the Clerk of this Court and serve upon		
PLAINTIFF'S ATTORNEY (name and address)			
GORLICK, KRAVITZ & LISTHAUS, P.C. 17 STATE STREET, 4TH FLOOR NEW YORK, NEW YORK 10004			
	20		
an answer to the complaint which is herewith serventhis summons upon you, exclusive of the day of seagainst you for the relief demanded in the compla	ervice. If you fail to do so, judgment by default will be taken		
J. MICHAEL McMAHON	MAY 1 4 2007		
Marios Quintero	DATE		
BY DEPUTY CLERK			

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedures.

	RET	URN OF SERVICE		
0		DATE		
Service of the Summons and C	omplaint was made by me	6 .	·	
AME OF SERVER (PRINT)		TITLE		
neck one box below to indicate	the appropriate method of	f service:		
☐ Served personally upon the		re served:		·
☐ Left copies thereof at the discretion than residing the Discretion of person with whom	defendant's dwelling hous herein. om the summons and com	se or usual place of abode v	vith a person of suitable ago	
Returned unexecu	ited:			
· · · · · · · · · · · · · · · · · · ·	3 3			
				
□ Other (specify):				
	STATEME	NT OF SERVICE FEE	S	
RAVEL	SERVICES		TOTAL	
And the second s	DECLA	RATION OF SERVER		
I declare under pena contained in the Return of Se	alty of perjury under the la ervice and Statement of Se	ws of the United States of A ervice Fees is true and corre	merica that the foregoing ir	nfomation
Executed on	·			
Date	Sig	nature of Server		
Date	Sig	nature of Server		
Date				
Date		nature of Server		
Date				
Date				

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

MASON TENDERS DISTRICT COUNCIL WELFARE FUND, et al.,

Plaintiff.

-against-

AFFIDAVIT OF SERVICE 07 CV 3770

HORIZON GROUP OF NEW ENGLAND, INC. AND TRAVELERS CASUALTY AND SURETY COMPANY OF NEW YORK,

Defendant.

STATE OF NEW YORK

S.S.:

COUNTY OF ALBANY)

DEBORAH LaPOINTE, being duly sworn, deposes and says that she is over the age of eighteen years, is employed by the attorney service, D.L.S., INC., and is not a party to this action.

That on the 22ND day of May, 2007, at approximately the time of 12:30P.M., at the office of the Secretary of State, of the State of New York in the City of Albany, New York, deponent served the SUMMONS AND COMPLAINT AND JUDGES' RULES upon HORIZON GROUP OF NEW ENGLAND, INC., the defendant in this action, by delivering to and leaving with DONNA CHRISTIE an agent of the Secretary of State, of the State of New York, two true copies thereof and at that time of making such service deponent paid said Secretary of State a fee of forty dollars. That said service was made pursuant to Section, 306 Business Corporation Law.

Deponent further says that she knew the person so served as aforesaid to be the individual in the Office of the Secretary of State of New York, duly authorized to accept such service on behalf of said defendant.

DONNA CHRISTIE is a white female, approximately 45 years of age, stands

approximately 5 feet 4/inches tall, weighs approximately 135 pounds with blonde hair and blue eyes.

DEBORAH LaPOINTE

Sworn to before me this

22ND day of May 2007

NOTARY PUBLIC

Frank J. Panucci
Notary Public-State of NY
Qualified in Albany Co.
No. 4721156
Comm. Expires July 31, 2010

D.L.S., Inc. 100 State St. Ste 220 Albany, NY 12207 800-443-1058 www.disny.com